

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

SPECTRUM WT, BARRETT BRIGHT,
and LAUREN STOVALL,

Plaintiffs,

v.

WALTER WENDLER, in his individual
capacity and his official capacity as the
President of West Texas A&M University,

CHRISTOPHER THOMAS, in his official
capacity as Vice President for Student
Affairs at West Texas A&M University,

JOHN SHARP, in his official capacity as
Chancellor of the Texas A&M University
System,

ROBERT L. ALBRITTON, JAMES R.
BROOKS, JAY GRAHAM, MICHAEL A.
HERNANDEZ III, TIM LEACH, BILL
MAHOMES, ELAINE MENDOZA,
MICHAEL J. PLANK, CLIFF THOMAS,
and DEMETRIUS L. HARRELL JR., in
their official capacities as members of the
Board of Regents of the Texas A&M
University System,

Defendants.

Case No.: 2:23-cv-00048-Z

**PLAINTIFFS' MOTION FOR LEAVE
TO WAIVE LOCAL RULE 83.10(a)
LOCAL COUNSEL REQUIREMENT**

Under Fed. R. Civ. P. 7 and Local Rule 7.1, Plaintiffs respectfully move to waive the Local Rule 83.10(a) requirement to obtain local counsel residing in or having their principal office within 50 miles of the courthouse. In support of this motion, Plaintiffs state as follows:

1. Good cause exists to grant Plaintiffs' request for a waiver from Local Rule 83.10(a) because (a) lead counsel for Plaintiffs is a Texas resident familiar with this Court's rules and practice in Texas federal courts and (b) Plaintiffs require

immediate relief to stop the ongoing irreparable injury of their First Amendment rights.

2. First, lead counsel for Plaintiffs, JT Morris, permanently resides in Texas. He is admitted to practice in this District and all other districts in Texas. For many years, Morris has practiced in federal and state courts throughout Texas, as well as the U.S. Court of Appeals for the Fifth Circuit. Morris is readily able and willing to travel to Amarillo for hearings and other appearances, including on short notice.

3. Moreover, Plaintiffs seek a temporary restraining order to remedy the ongoing deprivation of Plaintiffs' First Amendment rights. (Verified Compl., ECF No. 1.) In their prayer for relief, Plaintiffs have asked the Court for a temporary restraining order and preliminary injunction. *Id.* at 33. Being required to obtain local counsel in Amarillo would unnecessarily delay Plaintiffs ability to secure this relief.

4. Because lead counsel is a Texas resident familiar with this Court's rules and practice in Texas federal courts and because of the immediate relief sought for the ongoing irreparable injury, there is good cause to waive Local Rule 83.10(a)'s residency and 50-mile requirements.

5. Plaintiffs are unaware of any prejudice Defendants might endure from the requested relief.

6. Should at any time the Court believe that Plaintiffs require local counsel residing in this district and within 50 miles of the courthouse, Plaintiffs will retain suitable local counsel.

7. For the forgoing reasons, Plaintiffs respectfully request that the Court enter an order waiving Local Rule 83.10(a)'s local counsel requirement. A proposed order is attached.

Dated: March 24, 2023

Respectfully submitted,

/s/ JT Morris

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* *Pro Hac Vice* Motions Forthcoming

Counsel for Plaintiffs

CERTIFICATE OF CONFERENCE

Because Defendants have yet to answer or otherwise appear in this matter and because of the immediate relief Plaintiffs seek, I sought conference about this motion via email with Ray Bonilla, general counsel for the Texas A&M University System. Mr. Bonilla has provided no position on this motion.

I hereby certify the above is true.

/s/ JT Morris

JT Morris

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CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2023, a true and correct copy of the foregoing document was transmitted via using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record, and further, I sent a true and correct copy of this motion to Ray Bonilla, general counsel for the Texas A&M University System, at rbonilla@tamus.edu.

/s/ JT Morris
JT Morris
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